

however, *the improvements in progress to complete the original design of these works begin to unfold their destined utility, the addition to the already increasing revenue derived from those sources, will be immense.* As evidence of this, it is only necessary to notice the rich return which the mining operations in the Schuylkill coal fields impart to the Schuylkill Navigation Company's works. This improvement is only 108 miles in length, and has produced tolls the present season, amounting to 560,141,50 dols., up to the 13th of November.

In another part of the same report, after urging the legislature to apply the whole resources of the State to the completion of the system as rapidly as possible, they remark "In relation to the ultimate success and prosperity of the public works, the board have expressed a decided opinion. The revenue derived from public works is already beginning to have a decided effect upon the fiscal operations of the Government, and will hereafter be the main reliance of the State. What amount of revenue will be derived from the public works the present fiscal year, it is difficult under existing circumstances, to determine. But the board feel warranted in giving the assurance, that even if the present pressure continues, it cannot fall short of 1,200,000 dols. As a proof that the above is not an over estimate, and that the whole system when perfected will remunerate the State for her outlay, and reward the patience of her citizens, it may be etc. etc., (instancing the most important improvements and the revenue derived from them.) In the close of this review of the general improvements, they say: "*There is, therefore, no doubt, but that when the now unproductive branches are completed, and sustain themselves, as they assuredly will, the whole system will not only support itself, but pay a handsome revenue to the State.*"

The governor, in his last message, says, "The

system of internal improvement has heretofore been the chief draft upon the Treasury. *It is now about becoming its main reliance.*" * * * * "The revenue from the public works fell 324,649,51 dols. short, during the past year, of the estimate of the canal commissioners. Its actual amount was 975,350,46 dols. But all who are conversant with the matter, are convinced that it would have 1,300,000 dols., if the paralysis of last May had not fallen on the energies of trade. The estimate of the board for the present year, 1,400,000 dols, in which I concur, believing, also that though it cannot fall materially short of that sum, no matter how adverse the State's general business may become, it may, and probably will, reach 1,500,000 dols., if the usual degree of prosperity be restored to the country. The tolls of last month alone amounted to 130,000 dols, of that sum." In another part of his message, after a *coup d'œil* at the different improvements, he concludes thus: "This view of the subject not only enables us to calculate with certainty or the increased earnings of the public works hereafter, but justifies all necessary expenditure for their completion, *even without* taking into account their other incalculable advantages to the State. * * * * Improvements thus increasing in productiveness under every disadvantage, demand, because they are worthy of all the care of the legislature." Colonel Peyton, said, I present these extracts as the testimony of the Canal Commissioners and Governor of Pennsylvania, in favour of a scheme which has been represented by gentlemen as a perfect Pandora's box, laden with evil, and threatening the State with bankruptcy.

I consider it, Mr. Speaker, and every unprejudiced mind must concur with me, as out-weighing all the bold assertions and ingenious deductions of gentlemen who are confessedly ignorant of the country and its improvements, and as proving beyond all question

the policy of the system as a mere money-making machine. It must strike every gentleman, that no inference prejudicial to the opinions advanced by these Commissioners and the Governor, which are based upon the statistics of any single improvement, or any combination of improvements, ought to have any influence upon our judgment. If, then it be established, that looking only to the revenue from the improvements, it is a judicious investment of the public funds of Pennsylvania, the State we have selected as a test of its policy in Virginia, there can no longer be any difficulty in our embarking in the system, even if we had no loftier considerations to subserve, than those of a mere stock-jobber. This brings me to the consideration of the mode in which the works shall be made, whether upon the joint-stock or the State principle. And upon the decision of this question in favour of the latter, we believe, depends the cause of internal improvement, and the future destiny of the State.

Colonel Peyton said, the most plausible and ingenious argument which has been presented to the house in favour of the two-fifth, and in opposition to the State plan of improvement, was that of the gentleman from Campbell, (Mr. Daniel,) This gentlemen in his zeal to discover a spot on which to plant a lever to overturn the State system, created an imaginary foundation of impracticable abstractions, and opened from thence, with no small degree of confidence, and certainly with great skill, a furious broadside upon that portion of the report which recommended the construction of the South-western road on State account. The argument of the gentleman was this—He set out with the extraordinary assumption, that, upon principles of abstract justice, we have no right to take one dollar from the treasury for the construction of public works, that the subscription of two fifths on the part of the State being an appropria-

tion of the public funds to public works, was consequently unjust; and, a *fortiori*, inasmuch as the whole is greater than a part it is a still greater injustice for the State to bear the whole expense. The mere statement of this argument, divested of all the sophistry with which he had surrounded it, ought to be sufficient to refute it. But, as it had been the foundation of a long and able argument, and had been most plausibly and ingeniously maintained, he would examine it fully.

The political maxim, said Colonel Peyton, upon which the gentlemen has raised his superstructure, is illusory, and, as applied by him, utterly false. Upon principles of abstract justice, the Government has no right to appropriate the public funds on the construction of public works! Why, Mr. Speaker, upon principles of *abstract justice* you have no right to impose any of those restraints upon the actions of men, or exercise any of that control over their property, which, in the finest Governments that have ever existed, have exerted so salutary an influence and which has been universally conceded as indispensable to the existence of society. We abandon the helpless, inefficient, isolated and unsocial life of the wandering savage, that we may, by union, concert, and harmony be better protected in our personal rights and our rights of property, and by united counsels, and united means and energies, effect such measures as will promote the public welfare. Mixed up with the abstractions under consideration, and resulting in some degree from it, was another sophism equally exceptionable, as applied. He asserted, said Colonel Peyton, that beyond the protection of the country from foreign aggression, and the preservation of the due administration of justice, the less a Government interfered with the labour and industry, the pursuit and avocations of its citizens, the nearer it approximated the fulfilment of its duties and obligations,

and that any step beyond these limits was in derogation of certain abstract rights supposed by the gentleman to be inherent and inalienable, or *reserved* by the community.

Suppose for a moment, said Col. Peyton, that the gentleman's argument may be placed in the strongest point of view, that the principles involved in his proposition are true—His argument admits, that it is the duty of the Government to protect and defend the country from foreign invasion, and that it may use the public treasure for that purpose. Suppose then, that Virginia, instead of forming one of this glorious union, were isolated and independent, surrounded by warlike neighbours, and subject to incursions upon the north, south, and west, so sudden and desolating in their character as to make the rapid transportation of troops and munitions of war an important element of her defence. Would not the Government, upon the gentleman's own principles, have a right to construct roads in every direction to promote the public welfare in this particular? And if, Mr. Speaker, the Government in such an emergency would have the right to construct these public works, has she not a right, and is it not her duty to provide before hand for the emergency, instead of waiting till the distresses and disasters of war leave her no alternative? If the power belongs to the Government in the extreme case supposed, why should it not reside in the Government of Virginia under existing circumstances, when it would confessedly put her in better condition to withstand foreign invasion, as well by the economy with which her troops and baggage would be conveyed from point to point, as by the promptness with which they could be brought to bear where most needed. But, said Colonel Peyton, conclusive as the argument is, even in this aspect, in favour of a system of internal improvement, we are not driven to the necessity of resting it upon such hair-splitting distinctions.

Every Government, said Colonel Peyton, rests upon its own principles, as ascertained by long usage, or its written charter; and the principles of the social compact, and the spirit of the constitution of Virginia, clearly and unequivocally recognize in its Government the right to do any thing which, in its wisdom, will promote the public welfare, provided it is not in contravention of the charter adopted as a guide and limit to its action. There is nothing in the constitution which prohibits the legislature appropriating the public funds to the construction of public works, or in any other way they may deem promotive of the public welfare. It follows, of course, that the legislature have the right to do it, and that, possessing the power, there can exist under the social compact no abstract right at variance with the constitutional right, and the inference of the gentleman from Campbell, that the legislature cannot exercise it without perpetrating a wrong—an act of injustice—is wholly gratuitous, and unsustained by any recognized, civil, or political principles, as, I trust, I have satisfactorily shown. We have thus established, said Col. Peyton, what he did not suppose was ever doubted, before the ingenuity of the gentleman from Campbell suggested it—the right of the State to use her treasures for the construction of public works, or for the general welfare, in any way she may deem expedient. I have previously shown, he said, the policy of a system of internal improvement, and the ability of the State to carry out the scheme proposed; and it only remains for me to offer some remarks as to the manner in which it shall be done.

[The usual hour of adjournment having arrived, Col. Peyton gave way, that a motion to that effect might be made.]

SECOND DAY.

*House of Delegates of Virginia,
February 16th, 1838.*

The Internal Improvement Report being called up, and Colonel Peyton being entitled to the floor, he rose and said :—

My argument not having been concluded on yesterday, when the hour of adjournment arrived, it is necessary that I should throw myself upon your indulgence for a portion of to-day. I trust, Mr. Speaker, that I satisfied the house on yesterday, that no principle of abstract right does exist under the social compact, which contravenes the constitution, and of course that the act of our legislature appropriating the public revenues to the construction of public works, does not violate any right, or operate any injustice, and of course that the ingenious syllogism of the gentleman from Campbell fails to prove, that because upon the State system there would be a larger appropriation of the public funds than under the joint-stock system, that therefore it was more unjust and objectionable. Having disposed of this branch of the gentleman's argument in favour of the two-fifth, and against the State system, it brought me to another on the same subject, in which he abandoned in some measure his metaphysical abstractions, and treated the subject in a more practical point of view. The acuteness of that gentleman's mind, enabled him to present a most imposing view of what he considered inherent evils in the plan of improvement on State account, and after maintaining himself most ably upon general reasoning, and entering his formal protest against deductions in favour of either system from isolated instances, or from any combination of cases, where all the circumstances,

moral, political and physical, were not well understood, he proceeded to adduce in support of the two-fifth place, the Chesapeake and Ohio canal, the Baltimore and Ohio railroad, and several other joint-stock improvements; thereby forcibly illustrating, by the false conclusions to which they led him, the truth of his promises. I agree with the gentleman, that partial statistics are worse than useless. It is true, that it is impossible to draw a comparison between works of other States, made upon the joint stock and State principle, without an intimate acquaintance with the topography of the countries through which they pass—the character of the works, whether they are temporary, requiring expensive repairs at short intervals, or permanent and substantial; their relative natural advantages—in a word, all those influences, moral, political and physical, which affect them—and hence, I would depend upon no authority short of it. As then Mr. Speaker, there is no discordance in the views of the gentleman and myself, as to the character of the testimony which should influence the decision of this question, we have only to apply the test. And at the threshold, I would ask whether the gentleman from Campbell or any other friend of the partnership system, has offered us a particle of testimony in support of it, coming up to the grade which we have established? It is doubtless fresh in the recollections of every gentleman within my voice, that the gentleman from Campbell did not even pretend to it. The truth is they have none, while abundant testimony of the most satisfactory character can be produced in favour of the State, and in condemnation of the joint stock system. Look, Mr. Speaker at the operation of the miserable, crippled and inefficient two and three fifths system, which has been in operation in our State for the last age! Behold its glorious results! See the extensive lines of railways and canals penetrating every quarter of the State, and

dispensing wealth, prosperity, and happiness to its citizens! See your noble port at Norfolk crowded with the canvas of every clime, and towns and cities springing up as if by magic, in every quarter of the country! Behold the Birmingham of America! Your own capital, parsimoniously husbanding every drop of her almost boundless water power, and applying it to machinery for manufacturing the cotton of Alabama, the wool of Ohio, and the minerals of Western Virginia! See your treasury filled to repletion, and the great State of Virginia advancing abreast of the State of Pennsylvania and New York, who have so unwisely and fatuously adopted a system of internal improvement on State account!!

In the eager anticipation of beholding all these glorious results of the system so much lauded by the gentleman from Campbell, we ask, where are they? where are they? "and echo answers, where are they?" No, Mr. Speaker, instead of this animating picture, we behold the lacerating effects of this joint-stock system. We behold a depressing, hag-ridden Commonwealth, upon which this incubus has fixed itself so long as to paralyze all her energies, and almost dry up the fountains of hope. A system, said Col. Peyton, which should be entitled a system of financial phlebotomy, as it is merely used to deplete the body politic, and relieve the treasury when it discovers any symptoms of plethora. It is fitly described as a silent, insidious, thieving system, which plunders the treasury, without promoting the public welfare. Millions upon millions of the public funds are wasted in the companies, and many of them are so utterly unproductive, that it has been recommended to abandon them that the State may save the expense of printing the annual report of their condition; and the whole of them taken together do not average one per cent. upon the capital vested. Such, Mr. Speaker, is the true state of

the testimony afforded by our experience in the joint-stock system. After having lived through an age the cherished policy of the State, it has not been able to rear a single monument flattering to the pride, creditable to the enterprise, or in any respect worthy of the ancient fame of this renowned Commonwealth. The friends of internal improvement having acquiesced during this long period in the hope that some of the promised benefits would be realized, and finding every hope excited, the mere precursor of ruinous disappointment, they determined, if possible, to revolutionize the system. And after the maturest reflection, and a patient and accurate examination into the systems of those States which have been most successful, they have decided upon, and recommended, the State system. In doing this, we take the broad ground, that no State in this confederacy has ever carried on a system of internal improvement successfully, except on State account. It is difficult to form a system in any other way. For that cannot be called a system which depends upon the disconnected influences and conflicting interests of an infinity of localities. It wants an all pervading eye, that will embrace within its vision the whole State, and a hand of judicious bounty, that will administer to its wants and necessities as such, impartially. Such, is the whole system in theory, and such has been its operation in practice. In New York their great State work was eligibly situated, as to distribute its blessings over every portion of the State, and the original and wonderful success of this improvement, with which all are familiar, renders it unnecessary for me to dwell on it. In the State of Pennsylvania—the Flanders of this controversy—we offer such testimony in support of the system we recommend, as the gentleman from Campbell and myself have agreed upon as alone admissible. We offer the testimony of the Governor of that Commonwealth, who, in his message

of 1836, says, that when the works then in progress shall have been completed, stretching into every quarter of her territory, and bearing her immense agricultural, manufacturing, and mineral wealth to her own proud metropolis,* and to every State in the Union, it is a low estimate, he says, when these works are completed and in full operation, that her clear annual income, from this source alone, will not fall short of three millions of dollars, a sum sufficient to reimburse the whole debt incurred, as it becomes one, to continue her improvements to any extent, and to authorize the application of one million of dollars annually to the purposes of education. And all this, he says, with moderation, prudence, and caution, is not more than eight, and probably six years distant. We offer you the testimony of the canal commissioners, which I read to the house on yesterday, in which they state, that the revenue from the canals and railways is regularly progressive, and that the fund arising from them is becoming the main reliance of the State. We offer you the acts of the Legislature of the State, who are sustaining and upholding this stupendous fabric by prompt, bold and generous legislation: and by implication we offer you the testimony of the people of the State—they who are supposed to be the victims of all the oppression and grinding exaction which is inseparable from an expanded system of improvement, and whose miseries and distresses, under the system of taxation which it is said will flow from our scheme, has awakened the tender sympathies and sickly sensibilities of gentlemen on this floor.

All these, said Colonel Peyton, are persons, who I am sure the gentleman from Campbell will admit are familiar with the influences moral, political and physical, which affect the system and who from having

* Philadelphia.

previously tried a partnership system like ours, are peculiarly qualified to judge of their respective merits. In truth there is one vital and distinguishing feature in the joint-stock system, which is sufficient of itself, if there was none other to condemn it. It administers to the cupidity of individuals, and encourages them in unreasonable exactions upon the community. It fixes a tariff upon the agricultural and other products of the country, which is often interminable and always onerous. Whereas upon the state system, the legislature would have a right to accomodate its tolls to circumstances, and when the capital was reimbursed, might abolish them so far as to reserve a tax merely sufficient to preserve the works in repair, or retain a sufficiency to relieve the whole community from taxation. Suppose, for example the James river and Kenawha improvement completed, and the tolls should equal the estimates which have been made, viz: eight hundred thousand dollars; you then have the agricultural interest contiguous to this improvement, saddled with the principle part of this enormous tax, through all time—irrevocably and irremediably—when, if it were a State work, this immense burden might be removed, when the cost of construction was returned, and thus negatively distribute, through the community, in the most salutary form, a sum which would operate as a bounty to that interest which is the foundation and support of all others. With this example and an extract written from a letter by a citizen from Pennsylvania, who has long been distinguished for his devotion to the cause of improvement, for his sound practical sense, and his intimate knowledge of the operations of the system in his own State for the last 30 years, I rest the discussion of the relative advantages of the two systems. The extract is in reply to a query submitted to him on this very

point. He says, "An opinion prevailed in our State at that time (between 1816 and 1826) that the best mode for the Commonwealth to patronize public works, was for the Government to subscribe stock in chartered companies. It was believed, that the vigilance of private stock-holders over their own interests, would be a sufficient guarantee for the faithful application of the public funds; but experience proved that the State, as a sleeping partner, was often shamelessly swindled, and always had the worst of a bargain. Hence, when what with us is technically called the "Pennsylvania improvements," in contradistinction to company works, were begun in 1826, our Statesmen had become tired of partnership concerns, and they began a system of canals and railroads, to be constructed altogether by the funds of the State, to be entirely owned by the State, and all the tolls to be collected from the "works" to be paid into the State treasury."

Having shown in the previous part of my argument:

- 1st That the State has a right to appropriate the public funds to the construction of public works.
- 2nd That the estimate of the resources of the Commonwealth are correct, and consequently that she possesses the ability to accomplish the works proposed in the report.
- 3rd That it is *eminently* the policy of the State to engage in a system of internal improvements, if viewed in reference to its ameliorating influences upon society, and its augmentation of national wealth and power.
- 4th That even as a money-making, stock-jobbing scheme, it is a safe and profitable business on the part of the State.
- 5th That the most effective mode of obtaining the object is, by adopting the State principle. It would seem now to devolve upon me to show,

that the improvements recommended in the report, are pre-eminently entitled to the consideration of the legislature. But this branch of the subject has been so fully and so ably elucidated by those who have preceded me, and will doubtless engage the attention of others who will follow me, and who will probably be better qualified to do it justice, that I will save myself, and relieve the house from a tedious discussion of it at present.

Colonel Peyton said, before taking his seat he was desirous of drawing the attention of the house, and especially the friends of the James River and Kenawha improvement, more fully to a subject which has been alluded to in debate, and which has been the topic of considerable conversation out of doors.

There is an impression with many friends of the James River and Kenawha improvement — whence derived or how sustained, I am at a loss to conceive — that the friends of the system proposed by the committee, are inimical to their work, and that the success of this scheme will be the death of theirs. Surely, said Col. Peyton, there is nothing in the report which countenances any such idea, nor has anything fallen from any member of the committee on this floor, which justifies any such influence. So far from it, the report of the committee expressly recognizes this improvement as one of primary importance — one in which the character of the State is involved and to the successful completion of which the faith of the State is pledged. Nothing was asked and nothing desired at present by that company, and we could not do more than express the deep interest we felt in its successful issue, and reiterate the pledge of the State to advance its three-fifths, whenever the company might deem it necessary. Can it be believed that the chairman of the "Committee of roads and internal navigation," residing

in Goochland, on the very banks of the canal, would sit by and countenance a report which would be destructive of an improvement in which his interests and feelings are so perfectly identified? Can it be supposed that I, myself, representing a constituency, every individual of whom are vitally interested in the prosecution of this work, and representing a county which is perhaps to be more substantially benefitted by it, than any other in the State, would for one moment have given my approbation to any measure which threatened its existence? No, Mr. Speaker. It is an idle surmise, generated by a morbid suspicion, and kept alive by the indiscreet and intemperate zeal of some of the friends of that improvement. I certainly do not mean to reprehend the watchful vigilance of those to whom are especially entrusted the guardianship of this great work. The unsullied purity and patriotism of the amiable gentleman who is at the head of the company, and the deservedly high standing of the directory, forbid my harbouring for one moment an impression unfavourable to the integrity of the motives which have influenced them in their opposition to this scheme. What I mean to say, is, that they have evinced more zeal than discretion. They have run off with their false impressions before they have taken the trouble to acquaint themselves with the views of the committee, and have enlisted a feeling of suspicion and hostility among a portion of the James river and Kenawha representatives, which, if carried out, it requires no prophet to predict, will effectually close the door of the treasury to both schemes, at one and the same turning of the key. I will then, once for all, at the request of many members, make a concise statement of our views, by way of disabusing the minds of those who are at all disposed to be satisfied.

The friends of the report are the fast friends of the James river and Kenawha improvement. They mean

the pledge offered in the report as a *bona fide* pledge of the subscription indicated, and they are perfectly willing to give to the friends a *carte blanche* after the report has been adopted to incorporate in the bill based upon the report, a section in such form as they may deem best calculated to place the desired increase of the capital stock to five millions additional beyond all casualty, and to secure in the strongest manner, the subscription of three millions on the part of the State, to be paid *pari passu* with the subscription on the part of the stock-holders. With these fair and liberal propositions I call upon the friends of the James river and Kenawha improvement, to ground their unnatural opposition, if they do not wish to defeat that which they are attempting to preserve. Separate yourselves from your ill-sorted and suicidal alliance with the enemies of all improvement, who are using you to subserve their purposes, and who will spurn you when you have lost your weight and influence by the alienation of your true friends. If you give a selfish, contracted, and illiberal vote, strangling every other improvement in the State, I ask with what face you will present yourselves at the next session of the legislature, or at the session thereafter, asking their aid in the prosecution of your work? Do you flatter yourselves that the representatives from those portions of the Commonwealth, fresh from the defeat they have sustained at your hands, smarting under the injuries you have inflicted upon them, and exasperated by your monopolizing selfishness, will grant you one dollar. My word for it, if this bill fails by your votes, you will have registered the last vote—certainly the last general vote of the south-west, north-east and north-west in your favour. I entreat you, therefore, by the deep interest you feel in this scheme—by the deep stake the Commonwealth holds in it; by all the glorious results

which are expected to flow from it, to pause and ponder well before you give it the fatal stab. Stand forth boldly as the friends of a liberal system and you have nothing to fear; but shrink back with distrust and selfishness within your own shells, and you will assuredly have coals of fire heaped upon your backs. A few words more, and I leave the subject with the house.

I hope, said Colonel Peyton, that a fair and candid consideration of the views which I have presented, will be somewhat instrumental in advancing a cause which I have so much at heart, and which I conscientiously believe will contribute incalculably to the wealth, fame, power, and prosperity of the State. The imaginative powers are too feeble to conceive, much less to picture forth the change which a complete system of internal improvement would bring over the land. I will not attempt it. I hope, however, that the splendid results of the experiments of our more enterprising neighbours have had their influence upon the public mind, and given the friends of internal improvement a preponderance in our councils. If so, I trust we shall improve the opportunity which it affords of fixing this session as the great epoch from which to date the prosperity of the Commonwealth; an era which every patriot and philanthropist will revert to with heartfelt gratitude and the most triumphant feelings; as one next only in importance to that glorious day which stamped our freedom with the seal of the Declaration of Independence, in the lasting and inestimable benefits which have resulted from it to the good "Old Dominion," the renowned *magna mater virum*; the morning star of our political regeneration—the "pillar of cloud by day and fire by night," during its long and wearisome, and eventful progress; the Corinthian capital which imparts grace, and beauty and finish to

the magnificent temple which we have erected and consecrated to the rights of man."

The able and animated debate of which the foregoing was the concluding speech, was followed by a close vote, upon the report of the committee on internal improvements, and to the lasting credit and prosperity of Virginia, it was carried, thus becoming the law of the land.

Amidst the onerous and distracting duties in which he was involved, during this winter, it is pleasing to state that he found time to show, by his correspondence, that the dear ones sitting in the home circle far away, were never long absent from his thoughts. Among the numerous letters to various members of the family about this time, were many characteristic ones, addressed to the writer, then a lad at school, full of good advice and affectionate expressions of kindness.*

* The author has endeavoured as previously said by correspondence with his family and friends in Virginia to procure some of these letters, but such was the destruction, by fire and other causes during the civil war, of mansion houses, libraries, etc., that he has been unable to procure any which possess particular interest.

CHAPTER VIII.

IN the month of June, 1840, my first visit was made to my brother on his Roanoke estate. The family, from Montgomery Hall, was about to proceed to *Isleham*, on Jackson River, one of my fathers estates, about seventy miles from Staunton in the County of Bath, to pass the summer. They were in the habit of spending a portion of every summer there and in excursions to the baths which exist in this part of Virginia. Before leaving home my father sent me on my trip to Roanoke, accompanied by one of his favourite slaves, Ned Phipps. Mounted on a handsome bay cob, I was followed, at a respectful distance, by Old Ned carrying my clothing in a huge portmanteau attached *en croupe*. This remarkable African, a good, kindly, garrulous old man, had attended my father during the war of 1812-15 as a body servant (of which he was not a little proud) and from his experience, age, and faithful character, was ordered to follow me in a threefold capacity, as guide, protector, and valet. Though, as I have stated, the grim and

dignified Ned started on the journey in my rear we had no sooner lost sight of the Hall, than the sociable instincts of the venerable negro led him to spur up and place himself by my side. I did not object to this, being fond of his stories, some of which would have done no discredit to Baron Munchausen. On account of his wonderful tales he was slurringly called, by his fellow servants, "Ned Fibs." Our familiar conversation was kept up somewhat in the style of the famous Knight of La Manche and his squire Sancho Panza, until we approached a town or village, when, of his own accord, Ned would quietly drop to the rear and never resume his former position till we had lost sight of the last house. The force of habit was strong in old Ned, who had learned respect for superiors, as he said, "while in the army." Besides he was a stickler for the proprieties of life, and had I wished him to remain by my side in public places he would have refused. He was tested on this point the first day of our journey, when near the village of Fairfield, where I halted to replenish my brandy flask and tobacco pouch for the benefit of Ned, who was uncommonly fond of both stimulants—neither of which I used.

To my request that he would keep by my side he answered firmly, almost peremptorily:

"No sir, I know my right place. Massa can tell you Ned hasn't served in the army agin the Britishers to no purpose. He knows well enough officers post, soldiers duty, masters place and servants too." Valets
he

have their point of honour as well as their masters and I made no further effort to interfere with Ned.

Our route carried us by the *Rockbridge*, in the county of the same name, one of the greatest natural curiosities of our country, and through a portion of the valley remarkable for its fertility, careful cultivation, and attractive scenery. This was the first occasion on which I had seen this region about which much has been said and more written and which is worthy of every praise, I shall however make no attempt to describe it tourist-like. It may be pardonable, however to say that so beautiful is this section that while gazing upon it I felt—though all my days had been passed in the midst of lovely scenery—that it was all that fancy could conceive or poets picture: not only beautiful, but a blending of all beauties—streams and hills, fruit, foliage, crag, wood, water, tobacco-plantations, corn-fields, meadows, mountains. It afforded me the greatest delight and I found “books in running brooks, sermons in stones and good in everything.” Ned who had often travelled on this road lightened the fatigues of the journey by his gossip, giving the history of almost every house and family which we passed. He loved this kind of garrulity, as all negroes do, and when not indulging in it showed his appreciation of the fine scenery, by nodding placidly in his saddle.

During this visit of two months to Roanoke a further knowledge of my brother's character was gained.

“ He was humble, kind, forgiving, meek,
Easy to be entreated, gracious, mild ;
And, with all patience and affection, taught,
Rebuked, persuaded, solaced, counsell'd, warn'd,
In fervent style and manner. All
Saw in his face contentment, in his life
The path to glory and perpetual joy.”

The good relations which existed between himself and family, and the happiness which it diffused through the home circle, was also apparent. Never was any thing more admirable than the manner in which he conducted himself towards his wife, children, and domestics. There was perfect tolerance of each other's mistakes, lenity shown to failings, meek submission to injuries, always a soft answer to turn away wrath. All this he inculcated to those about him by word and action. He used to say to his children, by way of enforcing his views, “ If you lay a stick of wood on the andirons, and apply fire to it, it will go out ; put on another stick, and it will burn ; add a half-dozen and you will have a conflagration. There are other fires subject to the same condition. If one member of a family gets into a passion and is let alone, he will cool down, and possibly be ashamed and repent. But oppose temper to temper ; pile on the fuel ; draw in the other members of the group, and let one harsh answer be followed by another, and there will soon be a blaze, which will enwrap them all in its lurid splendours.” In this philosophic and Christian spirit he applied a sedative to those ebullitions of passion which ruffle the serenity of households, and infused such sweetness in

his cup of domestic enjoyment, that I could but exclaim in the language of Cowper,

“ Domestic happiness, thou only bliss
Of Paradise, thou hast survived the fall !”

His conduct to his negro slaves was equally admirable. His only wish was to render them happy. Nothing which had reference to their comfort and improvement was overlooked in his plans for them. To each couple a hut was assigned, to which was attached a little garden, in which the slaves cultivated tobacco, maize, potatoes, and where they raised pigs and poultry. Those who were inclined to make money this way were allowed to go every Saturday afternoon to Big-Lick or Salem to dispose of their produce and spend the money as they pleased. In all this he but followed the example of our venerable father, who treated the slaves upon his several estates in this way, and lived the life of a patriarch instead of a tyrant. Throughout the whole South, during those prosperous days anterior to the civil war, every planter may be said to have been either a tyrant or a patriarch, according to the virtues or vices of his character. Both my father and brother belonged to the latter class. The reader will not be surprised to learn, then, that full measure pressed down and running over seemed the sum of his happiness.

Among the visitors who met at my brothers this summer, was our father, who crossed the mountains from Lewisburg, where he was attending the Court of

Appeals, and my maternal uncle, Colonel Lewis, who was on his way from South Carolina to the Sweet Springs.* Arriving in Roanoke, at the same time, my uncle stopped a week to enjoy the blandishments of society at Elnwood, and to recruit from the fatigues of his long journey overland. Colonel Lewis was a man of certain religious and political crochets, and the friendly discussions which occurred between him and my father afforded me no small pleasure. A brief account of some of these as a sequel to this chapter will not be uninteresting, as shewing the kind of life and discourse which sometimes prevailed in my brother's house. In religion Colonel Lewis was a Roman Catholic, and in politics a disciple of Calhoun, and was of course considered by our father as a muddle-headed abstractionist, whose ideas of eternal salvation were heretical, and whose theories of government could not be reduced to practice without national ruin. With affectionate solicitude, therefore, for the reputation of Uncle William, rather than because he fancied his soul endangered by his adherence to the Pope or the country by the blatant nonsense of South Carolina empiricism, he used every argument which suggested itself to his mind to win my uncle from his errors. Discussions thus arose, and these sometimes became so warm on part of my uncle, that their friends feared their polemics would some day result in a feud. Not so, however. My father's moderation was equal to his vigour, and he mollified my uncle,

* For abridged pedigree of the Lewis family see appendix C.

and soothed his discomfitures, for he was no match for my father in argument, by this style of reasoning, to which I was so often a witness that I am enabled to give the substance of it—parts of it almost word for word, as it fell from his lips.

“There is no necessity William,” he would say, of that difference of opinion creating hostility. It must be admitted by all that there is great variety in the tastes, habits, and opinions of mankind, and it is necessary to harmony that it should be so. That partial discord tends to general harmony is more than poetically true, for, if all men were to set their minds upon living in the same climate, or under the same government; or, if all the people of a country had an unconquerable desire to live in the same town; if all the inhabitants of a town were to have a good opinion of only one physician, or of only one preacher, or lawyer, or mechanic, or could only relish one article of food, or fancy only the same dress; or if, all men were to fall in love with the same woman, or all the women with the same man, what would be the consequence? Why, from a feeling of seeming agreement, universal discord would ensue. Even the value of truth is best appreciated by the opposition it meets with, and falsehood and error are detected by the discriminating powers of opposite sensations and feelings. That there should not be uniformity of opinion upon many important subjects, such as the theory of government, etc., must be the stamp of heaven. For myself I claim freedom of opinion as an inherent right, provided it does not disturb the estab-

lished order of society. I fear your nullification views, my dear William, go this length. However, let me succeed, no man has a right to be offended at my opinion, or hold me in contempt for entertaining it, if it does him no injury; and, what I claim for myself, common justice, requires that I should allow to others; and ~~and we~~ well consider, that this disparity of disposition ~~must~~ be the designation of an overruling Intelligence, ~~we~~ surely should not suffer it to be the cause of feelings of animosity to our fellow-beings, though their political or religious opinions should be the opposite to ~~our own~~—still less such old friends and connections as ~~ourselves~~. For, continued my father, unless we had ~~been~~ subjected to the same involuntary impressions and ~~excitations~~ that other persons have been, which is ~~perhaps~~ impossible, we can be no judges of the merits or demerits of their opinions, or how they have outraged ~~truth~~ and reason, even admitting that they are in error. ~~If~~ it should be contended that truth and reason are ~~inmutable~~, and when two differ upon a fundamental ~~truth~~ there must be a deviation from reason and truth ~~in one of the parties~~, I would admit it to be so if the ~~ad-~~ question were susceptible of mathematical demonstration. This is rarely the case. Were I to meet a man ~~who~~ should contend, that two and two do not make four, or that the amount of degrees in the three angles of a triangle are not equal to the amount of degrees in two rightangles, I must justly charge him with folly or ~~willful~~ falsehood; but, in whatever does not admit of ~~demon-~~ demonstration, our convictions are our feelings; and

our feelings depend more upon involuntary impressions than we are often willing to allow. Certainly truth and reason are the most likely to prevail with cultivated minds, for truth and reason are the most likely to make the right impression, but we are too apt to overvalue our own kind of knowledge, while we underrate that of others. In point of real utility, the knowledge of the man who is skilled in the breeding and feeding of cattle is more valuable to society than is the knowledge of him who is skilled in mathematics, yet the latter will look down upon the former, when perhaps the only advantage he has over him is the being able to convey his knowledge in more correct and perspicuous language ; and, unless we possessed all kind of knowledge in an equal degree, we are liable to be imposed upon in some things, either by thinking too little upon them, or too much, to the exclusion of other branches of knowledge, the possession of which, though seemingly foreign to the subject, may be necessary to its clear elucidation ; for it is by the possession of general knowledge only, that we can claim a superior title to correctness in every particular. A, may be able to solve a difficult problem in mathematics : B, cannot do this, but B can make a plow upon true mechanical principles, which A cannot ; if C can do both, C must be superior to A or B ; but, all mankind are in the situation of A or B—as possessing only partial knowledge : we should all, therefore, be indulgent to each other's deficiencies. Still, my

superior in general knowledge and learning may be the dupe of a weak prejudice, without justifying an impeachment of either. "I have a brother-in-law," he would look askant at my uncle when getting off this kind of fillip, "of whose cleverness and general knowledge I have a very high opinion, yet in politics we are quite opposites: we indeed worship different idols, and the only superiority I can pretend to claim over him is, that I can bear for him to adore his idol even in my presence and yet keep my temper—a compliment he cannot always repay."

"Fudge!" exclaimed my uncle, jumping to his feet, and walking hastily to and fro across the room—"I may warm with my subject, but as for being offended with you it is out of the question. I'll never so far forget myself."

"Come, come, be seated," my father would rejoin, giving him a friendly shake of the hand, "let me proceed: of course you will not think I wish to depreciate the value of truth and reason; I only wish to urge, that the seeming want of them in others may be deceptions, and should not be the cause of contempt, acrimony, or ridicule. All are enamoured even with the shadow of truth; and should see the substance, if in their power; but, placed in a variety of lights and shades, some can only see the shadow, and mistake it for the substance." Thus their fraternal discussions proceeded and terminated in the discomfiture of my uncle, (who though a clever man, an eloquent talker, full of confidence, and

abundance of zeal, was no such logician as my father, and left not the slightest pain rankling in his bosom.

Colonel Lewis had been educated by my maternal grandfather, Major John Lewis, of the Sweet Springs, as a Presbyterian or Puritan—no man living could have been more averse to the doctrines of the Romish Church than Major Lewis, and to this he trained his son. Zealous in every cause he espoused, Colonel Lewis conceived the idea of converting the Pope to his religious views, and was making preparations to visit Rome for this purpose, when he met a beautiful and intelligent maiden lady, in New Orleans—a tenacious Papist, who converted him. She soon became his wife, and he became one of the most devoted Roman Catholics who ever bent the knee at the shrine of a Saint. Not long after this, he commenced distributing tracts and exhorting people to return to the bosom of the mother church. A room in his house, “Lynn-side,” Monroe county, Virginia, was converted into a chapel for private worship, and was ornamented with sacerdotal trinkets, relicts, etc., and the graceful spire of a Catholic Church soon shot above the trees of his park-like grounds. Aided by an Irish family by the name of White, and Leonora Stack, a sister of Mrs. White, and all Papists; Colonel and Mrs. Lewis succeeded in impressing the minds of many of the people in the neighbourhood of the Sweet Springs, mostly among the poorer and more ignorant classes and on Sundays and Saints Days, in this hitherto thoroughly Presbyterian community, quite a respectable

congregation both for numbers and appearance assembled to worship. The service, too, was conducted with as much of the splendour and magnificence of Rome as could be imported into it. The interior of the church is handsome, the accommodations convenient, a sweet-toned organ sent forth its solemn tones and ~~meditations~~ ^{hymns} chanted. Two Holy Fathers took up their residence at "Lynn-side," and by their sanctified manners and pious exhortations, seconded by the affability and condescending manners of Colonel and Mrs. Lewis and the pleasing deportment of the Sisters, and above all the charity freely held out to the needy, made a decided impression on this Puritanistic stronghold. Notwithstanding Colonel Lewis' sudden and total change in religious faith, no one ever doubted his sincerity, but there were not a few to combat his views and sneer at his convert zeal. In the family circle particularly there were frequent discussions upon religious tenets and principles. From having despised such myths, my uncle soon became a believer in miracles, holy legends, etc., and I remember many years after this an animated conversation between himself and my father on the subject.

My uncle argued with much ingenuity—for he was a clever man notwithstanding his crotchets—that a belief in holy legends was an obligation imposed upon all Christians, and upon the great danger of entertaining the least doubt of their authenticity. My father said in reply, that he would as soon consider himself under an obligation to believe the tales of Baron Munchausen.

Mankind, he said, in all ages had been credulous and had been imposed upon not only in tales and romances but even in histories. St. Gregory condemned Livy's history to be burnt on account of its many falsehoods, on the plea that belief in such things was contrary to the faith of your own church, William. And I say it without intending to be impolite, but merely to express a conviction of my mind, that no set of men are more to be reproached for filling history with puerilities and pious fictions than the Roman Catholics. In the middle ages they were a community whose minds were filled with idle fancies, and they endeavoured to stuff the minds of other sects with the same vain imaginations. In his work entitled, "Revolutions in Spain," Father d'Orleans invents, in one action which occurred between the Spaniards and the Turks, as many miracles as were related by all the Roman historians put together. The rapid multiplicity of miracles he averred to be interventions by the Diety in favour of the Christians."

"I may further add"—though not a pedant, my father was a profound scholar, and when engaged in the discussion of a subject generally exhausted it—"Vossius, in his 'De Historicis Latinis,' audaciously assures his readers, continued my father, that the walls of Agouleme, in the reign of Clovis, suddenly fell to the ground by virtue of a small vial! With more mendacity, Maimbourg, in his history of Lutheranism and Calvinism, says, that, in 1547, the sun was stopped in his course, in order that the Roman Catholics, under

the Emperor Charles V. might have time to entirely defeat the Protestants, under the Duke of Saxony. And Sardoval, Bishop of Pampeluna, Historiographer Royal to Philip III., confirms this statement, adding that, during the battle, the sun was the colour of blood, and was so seen over the whole of Spain and France, Italy, and Germany. And, in order that his readers should not doubt his assertion, he says, 'I saw the miracle with my own eyes.' That was enough from a Bishop—and the people of Spain believe his statement to this day. The Monkish writers, who have transmitted to us the histories of the Crusades, have inserted into them a multitude of miracles, which are so contrary to common sense, that it is useless to seek to show their falsehood.

No sensible person in the present generation can believe that battalions of angels, clothed all in white, descended from heaven to assist men. True, these men were Christians, they had good intentions in originating the Holy War; nevertheless, in prosecuting that war, they acted with such fearful cruelty and remorseless vengeance as to be perpetrators of atrocious crimes. Such men, even in the days of miracles, would surely not have been assisted by the interposition of heaven? But the people who lived in those days readily believed every invention that had its foundation in piety. They also believed such folly as tales of enchanters and deeds of sorcerers quite as much as religious prodigies and miracles. It was the taste of the age; and in compliance with it, authors who wrote

the lives of the then illustrious resorted to the style which romance writers alone now adopt. For a great man to fight against ordinary men was too insignificant an achievement. He must have an enchanter for his adversary; then his surpassing valour and virtue were sure in the end to attract the attention of some sage magician, who protected him against his opponent. Thus was the attention of the reader kept alive by wonder at the acts of the rival enchanters, and interest taken in the fate of an unconquerable and undaunted hero, incessantly fighting against his evil fortune. Hence arose such incredible stories as those of Rinaldo and Armida.

And, my dear William, a great light in your church, Ajobardus, Bishop of Lyons, composed in the 9th century, a treatise, with the view of combating and destroying all those absurd whimsies. "Such great folly" he exclaims, "has now seized the poor world, that christians believe absurdities, which heathens before them would never have believed."

Great, indeed, were the absurdities believed in the 9th century; but there are quite as great extravagances in belief in this, the 19th century—so monstrous, that one knows not how to refute them seriously; so irrational, that one cannot help being amazed at the credulity of mankind, and coming to the conclusion that anybody having a design to deceive the world can easily find persons ready to be duped; for we have only to open our eyes to see that minds are always to be found fitted to receive and believe any folly, be it ever so ridiculous.

Mark the falacious things people have faith in; true, these people are the victims of prejudice, and are thereby prevented from making use of their common sense. Countless numbers believe in sorcery, witchcraft, vampyrism, clairvoyance, electro-biology, astrology, fortune telling—heaven knows what besides! Here then, are people carrying into the years of maturity the puny intelligences of that period of their lives when, enclosed in a nursery, they believed as a fact every incident related in a fairy tale, or a giant or hobgoblin story.

Now, William, I cannot flatter myself that I shall convince you of any errors, which in my opinion, you have been guilty of in this respect. That is no reason however, why I should not attempt to make you entertain a disbelief of all foolish impossibilities. For example, there is the falacious science of astrology—it has been the game of a few designers in all ages, for sordid interest, to have duped others and been duped themselves. In ancient times they were, in Alexandria, compelled to pay a certain tax, which was called the “Fool’s tax,” because it was raised on the gain that these imposters made from the foolish credulity of those who believed in their powers of soothsaying. Well may believers in this science be called “fools,” when they do not seem to consider that if the principles of judiciary astrology were correct, and its rules certain, the hands of the Almighty would be tied, and ours would be tied also. All our actions, all our most secret thoughts, all our slightest movements would be

engraven in the heavens in ineffaceable characters, and liberty of conduct would be entirely taken away from us. We should be necessitated to evil as to good, since we should do absolutely what was written in the conjectured register of the stars, otherwise there would be falsehood in the book, and uncertainty in the science of the astrologer. How we should laugh at a man who thought of settling a serious matter of business by a throw of the dice. Yet the decision of astrology is just as uncertain. Our fate depends upon places, persons, times, circumstances, our own will; not upon the fantastical conjunctions imagined by charlatans.

Suppose two men are born on our planet, at the same hour and on the same spot. One becomes a hewer of wood and a drawer of water, and the other an Emperor, or a commander-in-chief of an army. Ask an astrologer the cause of this difference. In all probability his reply will be —“It was so willed by Jupiter.”

Pray, what is this Jupiter? Why, it is a planet, a body without cognizance, that acts only by its influence. How comes it, then, that Jupiter's influence acts at the same moment and in the same climate in so different a manner? How can that influence differ in its power? How can it take place at all? How can it penetrate the vast extent of space? An atom—the most minute molecule of matter would stop it, or turn it from its course, or diminish its power. Are the stars always exercising an influence, or do they exercise it only on certain occasions? If they exercise an influence only periodically, when the particles which, it is

contended, are detached from them, are coming to our sphere, an astrologer must know the precise time of their arrival, in order to decide rightly upon their effect. If, on the other hand, the influences are perpetual, with what wonderful speed they must rush through the vast extent of space! How marvellous, too, must be the alliance they form with those vivacious passions whence originate the principle actions of our lives! For if the stars regulate all our feelings and all our proceedings, their influences must work with the same rapidity as our wills, since it is by them that our will is determined.

Here is a young man who takes it into his head to have nothing more to do with a young lady he loves, because she bestows a tender glance on a rival. What a number of influences must be at work, and how quickly too! As quick as the glance the lady shoots from her eyes, as swift as the thought of the lover who takes offence, for it is these influences which determine the lady to tenderness and the young man to jealousy. Is this too mean a matter to consider? Oh, no! Astrologers maintain that the most insignificant things are ruled by the stars. The quarrels and reconciliations of lovers are quite in this way, nay they make their best market out of them: they have no such faithful followers as lovers. Who is so anxious to consult the astrologer as a young man in love? and as to the fair sex—we all know how much more inquisitive they are than ourselves. No, no! the makers of horoscopes have no such constant customers as lovers. Astrologers

and lovers! What a union! Both how deceitful! If the fair would be advised, I should counsel them to guard themselves more against the predictions of astrologers than the insinuating attentions of gay and gallant young men.

What has been said of planets may be said of comets. For a long time it was believed, even by the wise and great, that the appearance of a comet indicated evil. Evils will certainly happen after the coming of a comet; why, yes, just as they will happen after the rising and setting of the sun; for it is in the ordinary course of things that there should always be great calamities in some part or other of the world. The influence of a comet is no greater than that of a man putting his head out of a window to look at people passing along the street. His looks have no influence on the people passing, and they would all pass the same, whether he put his head out of the window or not. In the same manner a comet has no influence over events, and every thing would have happened as it did, whether it appeared or not.

People in the past generations were believers in these influences. That superstition has now gone out and is supplied by a variety of new kinds of impostures, but there is no necessity of endeavouring carefully to refute them!"

After this manner my father sought to persuade his worthy brother-in-law of his illogical, chimerical views. Vain was the effort. My uncle never recanted, but died a firm believer in the religious tenets, principles,

and faith he imbibed from the gifted lady who became his wife. Though unconvinced by my father, he must have derived no small amount of information from his conversations; it could not have been otherwise, for his common discourse abounded in learning, wit, and knowledge. I shall always regret my inability, consistently with the scope of this memoir, to do ampler justice to the virtues of one who filled so considerable a place in Virginia with honour and credit, and thus, while erecting a memorial to his memory dictated by filial affection, to hold out an example of good qualities for the imitation of others. Survivors owe this much of a debt to departed worth; and if ordinary friendship imposes this duty upon us, how much more binding is the obligation when the friend and survivor is a son.

CHAPTER IX.

AMONG the interesting questions at this time dividing the political parties in America, was that of the proper distribution of the money arising from the sales of the public lands.

When, in 1783, the treaty was signed by Great Britain, recognizing the independence of the American colonies, and the United States were admitted into the family of nations, the Confederacy owned no public lands whatever. It is true that lying within its borders was a large tract of unoccupied territory, amounting, in the aggregate, to about 226,000,000 acres; but this land belonged to the individual States, not to the Federal Government. The English charters had given to several of the colonies the coast of the Atlantic as their eastern boundary, and had defined, though loosely, their northern and southern limits; westward, however, their territorial rights stretched across the continent to the Pacific. The French possessions, on the other hand, extended from the St. Lawrence to the Gulf of Mexico; their eastern boundary was not very clearly

defined, but the line drawn not only ignored the claims of the English colonists to the western territory, but even infringed upon the limits of some of the colonies themselves. In support of their pretensions, the French erected forts and block-houses, at intervals, from the Great Lakes through the western part of Pennsylvania, to the Ohio; then along the banks of that stream to its junction with the Mississippi; whence their chain of military posts followed the course of the latter river to its mouth. The English colonists found themselves, by these proceedings of the French, hemmed in, and, in defiance of what they considered their just rights, prevented all expansion westward. A conflict between the two races was, under these circumstances, sooner or later inevitable. A collision, in fact, took place so early as 1753, on the banks of the Ohio, between some English settlers and the garrison of one of the forts already referred to. Both parties to the quarrel hastened to lay the story of their injuries before their respective governments. The consequence was a long and sanguinary war between England and France, in which half Europe became involved.

In the New World, Braddock's defeat temporarily delayed, but could not avert, the final catastrophe. The superior numbers and indomitable resolution of the Anglo-Saxon in the end prevailed; Canada was conquered; and the forts on the Ohio were necessarily abandoned. France, it is true, still retained Louisiana, which comprehended not simply the present area of the State bearing that name, but a vast tract of territory,

extending from the Gulf to the 49° of north latitude ; and from the Mississippi, on the east, to the Mexican frontier, on the west. But, by the time the people of the English colonies had become a nation, the French power, in America, had been so thoroughly broken, that no further opposition to the expansion of the Confederacy was to be apprehended from it.

The conflicting claims of the various States to the Western territory, derived, as already stated, from their old colonial charters, threatened indeed to lead to serious legal difficulties, if not to an actual collision, between the inhabitants of some sections of the Confederacy: for the boundaries of several of the colonies had been so carelessly defined, that they actually in some places overlapped each other; and the difficulty was of such a nature as, apparently, to offer almost insuperable obstacles to a solution which should be equally satisfactory to all parties. The question was, nevertheless, amicably settled; and in a manner highly creditable to the good sense of the inhabitants of the several States interested. Instead of wrangling with each other as to the justice of their respective claims to the unsettled territory, they all, without exception, in the course of a few years, embraced a proposition that they should cede their rights in the land lying beyond their borders to the Federal Government. These sessions embraced the entire area now occupied by Ohio, Indiana, Illinois, Michigan, and Wisconsin. These various gifts placed the Confederacy in possession of over 200,000,000 acres of land. In 1803, Louisiana

was purchased from France; and this acquisition, alone added no less than 1,000,000 square miles of territory to the Union. In 1819, Florida was ceded by Spain to the United States making the total aggregate of lands, acquired by the Federal Government, since the revolution to that date at a thousand million acres. At this time the sales of public lands produced 3,000,000 dols. a year, and continued to increase until, in 1836, they rose to 21,000,000 dols.

The general government was administered at this period with enlightened economy. A low tariff yielded more than was necessary to meet the annual charges upon the treasury for the civil, diplomatic, naval, and military services. No taxes were levied, no debt existed, and it became an interesting question how to distribute the surplus in the treasury, augmented by the sum of 21,000,000 dols., arising from the land sales. One party, led by Hon. Thomas H. Bayly, advocated a reduction in the tariff, and the application of the land to supply the deficiency thus created in the ordinary expenses of the Confederacy. The opposite party wished the tariff left as it was, as no one felt the indirect tax thus imposed and the land distribution among the separate States, according to their population etc., with a view to its being spent in State improvements, such as the erection and support of schools, colleges, and the opening of roads, canals, etc., etc. To this latter party belonged Colonel Peyton, who in reply to a speech of Hon. Mr. Bayly delivered the following rejoinder in the House of Delegates, of Virginia, on the 29th of January, 1839.

*House of Delegates of Virginia,**January 29th, 1839.*

PUBLIC LANDS.

The Fourth Resolution being under consideration, in the following words:

Resolved, That not only the experience of the past, but a wise forecast requires the speedy adoption of some equitable plan providing for the distribution among the States, in just proportions, of the proceeds of the sales of the public lands; and this General Assembly doth therefore earnestly urge upon Congress the immediate adoption of such measures as will be best calculated to obtain this desirable object.

General Bayly moved to amend by striking out all after the word *resolved*, and inserting "that Congress ought to adopt some equitable plan, providing for the distribution among the States, in just proportions, of the nett proceeds of the public lands, or so much thereof as may not be necessary, taken in conjunction with the customs as regulated by the Acts of Congress of the 2nd of March, 1833, and other sources of revenue, to defray the expenditures of the government, economically administered."

After the Fourth resolution insert Fifth. Resolved, "that the adjustment of the tariff, contained in the Act of Congress of the 2nd of March, 1833, commonly called the Compromise Act, ought to be held sacred and inviolate."

Colonel Peyton said, that in throwing himself upon the indulgence of the House at this time, he was unprovided with the artificial machinery of a set speech, which was the best guarantee he could offer that he would trespass upon their patience but a few moments. Indeed he felt that it was the duty of every gentleman to be as concise and succinct in the expression of his views upon the resolutions as was consistent with

perspicuity, that we may lose as little time as possible in coming to a decision and laying that decision before Congress. It was one of those measures which, to make it effective, it must be prompt. If, we dally and dispute about abstractions much longer, another census will overtake us, which will disclose a numerical power in the Western and South-western States, which combined with the alliances which they may contract with Presidential aspirants, will enable them to substitute successfully votes for arguments (*volunta pro ratione*) and by a species of legalized spoilation deprive us, first of our domain, and then, as a natural and inevitable consequence, of our population.

He continued, and said, he should forbear at present from presenting his views of the iniquity of the several graduation bills which had been discussed in Congress, or of the very modest proposition of some of the States to divest us, in toto, of our interest in a common fund for which they are principally indebted to our generosity and patriotism, nor would he, at present, attempt to picture forth the desolating influences of either policy upon the Old States, but confine himself in the few observations which he should submit, to an examination of the arguments submitted by the gentleman (General Bayly) who had just taken his seat.

That gentleman opposes an unconditional and unqualified distribution of the proceeds of the public lands among the several States, on two grounds — first, because it violates one of the provisions of the Constitution of the United States—and secondly, because it has a tendency to revive the Tariff—both of which difficulties he proposes to obviate by confining the distribution to periods when there is an unappropriated balance in the treasury, beyond the wants of the Government, economically administered. In the truth and justness of these sentiments, the gentleman from Accomac has certainly succeeded in convincing himself